

## **REMARKS**

This is in response to an Office Action dated 2 January 2009.

The undersigned thanks Examiner for his courtesies during a telephone interview on June 16, 2009. The Examiner and the undersigned reviewed a draft of this response especially Claims 39 and 40.

The Applicant is petitioning for an Extension of Time until 2 July 2009 and submitted a petition with the appropriate fee under 37 CFR 1.17.

The Examiner withdrew the previously allowed Claims 15-17 in view of a newly discovered reference to Boyer U.S. Patent 2,869,507 ('507).

The Examiner rejected Claim 15-16 under 35 U.S.C. 102(b) as being anticipated by Boyer U.S. Patent 2,869,507. The Examiner also rejected Claim 17 under 35 U.S.C. 102(b) as being anticipated by, or in the alternative, under 35 USC 103(a) as being obvious over Boyer.

The Applicant has canceled Claim 15-17 and added New Claims 39-58.

Boyer's '507 patent describes a Streamer Mount for Flagstaffs. It describes a single streamer fastened with a grommetted hole coupled to a streamer support. One or more of these streamers is coupled to a flagpole with a hook via a disc with circumferentially spaced holes.

The invention herein as claimed in new claims 39-53 comprises the loose ends of one or more rolled streamers connected to a launch strip. The loose end is connected to the launch strip by an adhesive or adhesive tape, although other conventional means are possible. The other end of the launch strip is secured to a ring or flexible band which is of a size such as to receive a finger of the user. The launch strip may also include a reinforcing element such as for example a grommet or reinforcing tape. The launch strip may be composed of various flexible materials such as paper, tissue paper or plastic film.

A number of means are possible to keep the streamer(s) and the launch strip rolled together prior to use, however the preferred means is a small rubber band which surrounds the streamer and the launch strip. The preferred number of streamers is in the order of 4

to 12.

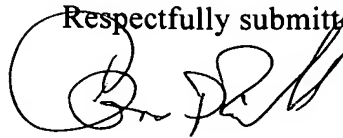
Multiple layers of the wound streamer(s) may be slippery, and particularly when they are composed of metalized plastic film. There may be a tendency for the inner layers of the streamer to fall out of the rolled streamer when the rubber band is removed, or later when the streamer is about to be launched. To overcome this, a side wrapper is secured to the underneath side of the launch strip by an adhesive and the ends of the wrapper form tabs or wings. Alternatively, the launch strip may be cutout with similar wings as to be an integral, one-piece construction. In either case, the wrapper may be composed of paper, tissue paper or plastic film. The wings are then folded upwardly and over the streamers. This forms a secure wrapping around the rolled streamers forming a bundle. A portion of the launch strip is wrapped around the wrapped bundle. In use the wings and a portion of the launch strip burst open by virtue of the mass of the streamers and the centrifugal energy generated by the arm of the user such that the streamers are released to fly upwardly in the air.

The streamers are of substantial length, such as in the order of 3 to 15 feet. The launch strip may have a plurality of rows of streamers connected to it.

The width of the launch strip is preferably in the order of 1 - 5 inches, and for most hands it is preferred to be in the order of 1 - 3 inches. The preferred width of the streamers is in the order of  $\frac{1}{4}$  to  $1\frac{1}{4}$  inches, and most preferably in the order of  $\frac{3}{8}$  to  $\frac{3}{4}$  inches. With respect to the preferred number of streamers per row for launching streamers as comets, the preferred number is 2 - 6, and with preferably 2 to 3 rows.

From this description of the invention as claimed in new claims 39-58, it can be readily seen that Boyer's '507 patent does not anticipate the claimed invention. Nor would the claimed invention be unpatentable as being obvious over Boyer. Boyer has no discussion of having rolled streamers. Boyer limits one streamer to one grommetted hole. Nor does Boyer provide any means for hand means for launching the one or more streamers. Since Boyer does not involve rolled streamers, there is no use of a wrapper mechanism or other means to hold the streamers in a rolled position prior to their deployment. The Boyer streamer mechanism is strictly designed for use with a flagpole.

Accordingly, the subject Application is in condition for immediate Allowance, and such action is respectfully requested.

Respectfully submitted,  
  
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